

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40475 of 2015

Arising Out of PS.Case No. -172 Year- 2015 Thana -KADAMKUAN District- PATNA

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Prashant Kumar Son of Sri Kumar Arvind, resident of Akbarpur House,
Machhua Toli, Police Station - Kadam Kuan and District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Thakur, Advocate.

For the Opposite Party : Mr. Nityanand (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 18-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354, 379 and 34 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

Shri Ajay Kumar Thakur, learned counsel for the petitioner submits that the petitioner is ready to keep the informant on any undertaking and if the informant is not ready to live with the petitioner, the petitioner is also ready for one time settlement. On such, Shri Rajnikant Mishra, the learned counsel for the informant submits that the informant is also ready to live with her husband provided her husband gives undertaking to keep her properly with due care and dignity.

Considering the fact that both the parties are willing to resolve their disputes either by restoring conjugal relation or part or amicably settle their dispute to part with each other, the petitioner above named is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail for four months, after issuing notice to the informant, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Anant Kumar, the Learned Judicial Magistrate, 1st Class, Patna in Kadam Kuan P.S. Case No. 172 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and the court below shall make efforts for reconciliation between the husband and the wife. If the dispute is resolved, the provisional bail granted to the petitioner shall be confirmed and if the dispute does not resolve the court below shall pass order in accordance with law on the provisional bail of the petitioner.

(Prabhat Kumar Jha, J.)

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